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Attorneys for Plaintiff

IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

JOANN SHELTON and PAMELA ARROUES, Case No.: CV-09-59-H-CCL

Plaintiffs,

vs.

UNITED STATES, ex rel UNITED STATES
DEPARTMENT OF TRANSPORTATION/
FAA

COMPLAINT

Defendant

Plaintiffs for their complaint against Defendant allege the following:

I.

Plaintiffs are citizens and domiciled within Lewis and Clark County, State of Montana.

II.

Defendant is the United States of America and its Department of Transportation/FAA. The government has finally denied the tort claim on July 31, 2009.

III.

The amount in controversy exceeds \$75,000.

IV.

On June 6, 2008 at approximately 4 p.m., Plaintiff, Pamela Arroues, was driving her vehicle eastbound on Lawrence Street in Helena, Montana. As she was proceeding past the intersection of Lawrence and Cruse Avenue, an employee of the Defendant, Brian Dunlop, did blow through a stop sign headed in a southerly direction and crashed his government vehicle into a vehicle being driven by Jason Isbell, which in turn crashed into Plaintiff's vehicle.

V.

Defendant, acting by and through its employee, Brian Dunlop, was solely negligent and was solely the cause of the crash between the three vehicles.

VI.

Said employee was grossly and recklessly negligent in failing to be observant, failing to stop at a stop sign, failing to yield traffic to Jason Isbell who had the right-of-way causing both the Defendant's vehicle and Jason Isbell's vehicle to crash into Plaintiff Pamela Arroues's vehicle, which was proceeding east on Lawrence Street.

VII.

As a result of Defendant's negligence Plaintiffs sustained serious bodily injuries. Plaintiffs incurred medical bills and will incur future medical bills in a significant amount. Further, Plaintiff's vehicle was totaled in the crash. Further, Plaintiffs suffered loss of earnings and damage to their earning capacity and capability, altered way of life

and lifestyle and great physical and emotional pain and suffering. The amount of each of Plaintiffs' damages far exceeds \$75,000.

VIII.

Further, Plaintiffs have previously timely filed with the Defendant their standard Form 95 and have transmitted to the adjuster for the government medical bills, medical records, information concerning the damages to their vehicle, as well as related bills, but have received no response from the government adjuster within the allotted time other than a blanket denial.

WHEREFORE, Plaintiffs pray for such special, compensatory and general damages as are proved at trial together with their costs and disbursements herein.

DATED this 8th day of October, 2009.

DOUBEK & PYFER, LLP

By /s/John C. Doubek
John C. Doubek
Attorney for Plaintiff